



Order Filed on October 26, 2016  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

HERBERT B. RAYMOND, ESQ.  
ATTORNEYS AT LAW  
7 GLENWOOD AVENUE, 4<sup>TH</sup> FLOOR  
EAST ORANGE, NEW JERSEY 07017  
TELEPHONE (973) 675-5622  
TELEFAX (408) 519-6711  
VOICEMAIL (815) 642-4613  
Email: [bankruptcy123@comcast.net](mailto:bankruptcy123@comcast.net)  
HERBERT B. RAYMOND, ESQ.  
JEFFREY M. RAYMOND, ESQ.  
KEVIN DELYON, ESQ.  
ATTORNEYS FOR THE DEBTOR(S)

In Re:

THOMAS A. SGHERZI DEBTOR(S)

Case No.: 15-27936 (JKS)

Adv. No.:

Hearing Date: N/A

Judge: JOHN K. SHERWOOD

ORDER AUTHORIZING LOAN  
MODIFICATION AND FOR OTHER RELIEF

The relief set forth on the following pages, two (2) through four (4) is  
hereby ORDERED:

**DATED: October 26, 2016**

  
Honorable John K. Sherwood  
United States Bankruptcy Court

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Debtor: Thomas A. Sgherzi, Debtor(s)

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Caption of order: Order Authorizing Loan Modification and for  
Other Relief

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1. That the Debtor be and is hereby authorized to enter into and consummate a loan modification with Nationstar Mortgage, LLC ('Nationstar'), pursuant to the terms and conditions of the proposed loan modification, relating to real property located at 1008 Columbia Avenue, North Bergen, New Jersey and the loan modification be and is hereby approved.

2. That the Debtor and/or Nationstar, be and are authorized to enter and consummate any transaction necessary and incident to the loan modification relating to this property, the sole exception being the transfer of the property or an interest in the property by the Debtor(s) to someone else.

a. Limited automatic stay relief is granted, to allow Nationstar, to negotiate any such agreement with the Debtor or counsel, enter into and sign a loan modification agreement, and record any documents with the appropriate county recorders office without such action being considered a violation of the automatic stay.

3. That the Debtor and/or Nationstar, are authorized to negotiate and prepare the terms or documents relating to a loan modification, or any necessary transaction incident to a loan modification agreement, such as, but not limited to the circumstances described above, with respect to this property and

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Debtor: Thomas A. Sgherzi, Debtor(s)

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any such negotiation and/or preparation of documents and/or  
recording of documents, by the parties shall not considered to  
be a violation of the automatic stay and are specifically  
authorized by the Court.

4. That any communication by the parties relating to the  
loan modification shall be considered to be negotiations,  
pursuant to the Rules of Evidence, and shall not be used by  
either party against the other in the context of any subsequent  
litigation in this Court or any state court, federal court or  
non-judicial forum.

5. That nothing in this order shall be construed as a  
modification of the plan.

6. That the mortgage company and/or mortgage servicer may  
not persuade the Debtor(s) to dismiss this case in order to  
consummate a loan modification.

7. That because the mortgage is being modified and the  
arrears (arrears may include pre-petition sums due or post-  
petition arrears) are being addressed in the new mortgage, the  
pre-petition arrearage claim, filed by Nationstar, or its  
predecessors, assignees or successor in interest, docketed as  
claim number six (6) shall not be paid and the Trustee shall not  
make any payments/disbursements on this pre-petition arrearage

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claim. Any post-petition sums added to the plan shall similarly  
not be paid by the Trustee as they would be incorporated into  
the new mortgage. If the modification is not consummated for  
any reason, Nationstar, may, at any time during the pendency of  
this case, re-list the matter for further hearing, otherwise,  
this order shall be deemed final.